

**5b. 2012SP-015-001**

**LKQ-LUCAS LANE**

Map 071-07, Parcel(s) 260 Map 071-10, Parcel(s) 200

Council District 05 (Scott Davis)

Staff Reviewer: Jason Swaggart

A request to rezone from IWD to SP-IND zoning properties located at 2050 Lucas Lane and at Lucas Lane (unnumbered), approximately 1,000 feet west of Dickerson Pike (31.96 acres) and located partially within the Floodplain Overlay District, to permit scrap operation, retail and all other uses permitted by the IWD zoning district, requested by Barge, Waggoner, Sumner & Cannon, Inc., applicant, Jenkins Properties, L.P., owner (See also Community Plan Amendment Case # 2012CP-005-001).

**Staff Recommendation: DISAPPROVE**

**APPLICANT REQUEST**

**Zone change to permit a retail pull-a-part (auto salvage) establishment and all other uses permitted in the IWD zoning district.**

Preliminary SP

A request to rezone from Industrial Warehousing District (IWD) to Specific Plan – Industrial (SP-IND) zoning properties located at 2050 Lucas Lane and at Lucas Lane (unnumbered), approximately 1,000 feet west of Dickerson Pike (31.96 acres) and located partially within the Floodplain Overlay District, to permit scrap operation, retail and all other uses permitted by the IWD zoning district.

**Existing Zoning**

Industrial Warehousing/Distribution (IWD) District is intended for a wide range of warehousing, wholesaling, and bulk distribution uses.

**Proposed Zoning**

Specific Plan-Industrial (SP-IND) is a zoning District category that provides for additional flexibility of design, including the relationship of streets to buildings, to provide the ability to implement the specific details of the General Plan. This Specific Plan includes industrial uses.

**CRITICAL PLANNING GOALS**

N/A

**EAST NASHVILLE COMMUNITY PLAN**

**Existing Land Use Policy**

Neighborhood Urban (NU) policy is intended for fairly intense, expansive areas that are intended to contain a significant amount of residential development, but are planned to be mixed use in character. Predominant uses in these areas include a variety of housing, public benefit uses, commercial activities and mixed-use development. An Urban Design or Planned Unit Development overlay district or site plan should accompany proposals in these policy areas, to assure appropriate design and that the type of development conforms with the intent of the policy.

**Proposed Land Use Policy**

District Industrial (D-IN) policy is intended to preserve, enhance, and create Industrial Districts in appropriate locations. The policy creates and enhances areas that are dominated by one or more industrial activities, so that they are strategically located and thoughtfully designed to serve the overall community or region, but not at the expense of the immediate neighbors. Types of uses in D IN areas include non-hazardous manufacturing, distribution centers and mixed business parks containing compatible industrial and non-industrial uses. Uses that support the main activity and contribute to the vitality of the D IN are also found.

Consistent with Policy?

No. The request is not consistent with the existing land use policy. The proposed SP permits an industrial use that is not consistent with the Neighborhood Urban policy, which is intended to promote housing, commercial, and mixed-use developments. While the current zoning does permit industrial uses, the proposed use is not permitted under the current industrial zoning and would move the zoning further away from the vision called for in the community plan. *The request is consistent with the proposed District Industrial land use policy.*

### PLAN DETAILS

This request is for a Specific Plan (SP) zoning district to permit a pull-a-part retail center which is classified as auto salvage under the Metro Zoning Code. Under the SP automobiles will be stored in rows where customers can come in and remove parts as needed. Prior to being placed for inventory all fluids and other hazardous materials are removed. This process occurs on site and fluids and hazardous materials are shipped to be processed off site. Automobiles are kept in inventory between 45 and 90 days. After 90 days cars are crushed on site and sent off site for recycling.

The subject site is at the terminus of Lucas Lane, south of West Trinity Lane and bordered on the west by Interstate 65. A majority of the site is flat; however, there are some steep slopes along the Pages Branch stream corridor which runs along the western property boundary. The site is currently being used for truck, trailer and shipping container parking.

#### Site Plan

The site plan calls for 18,600 square feet of building area which will be distributed between two separate buildings. The smaller building that will serve as the retail area and office is 3,600 square feet. The largest building is 15,000 square feet and is the maintenance and service shop.

The maintenance and service shop is where fluids and other hazardous material will be removed.

A majority of the site is for the storage of inventory (automobiles). The plan identifies 1,684 spaces with each space holding one automobile. Automobiles will not be stacked. Areas where automobiles will be placed will be gravel, and all drive aisles will be surfaced with asphalt, concrete or other dustless surface that meets current parking requirements in the Zoning Code. The plan also calls for a customer parking area which contains 243 spaces.

The plan provides a 40 foot wide Standard "D" Class buffer yard along the eastern property line. In addition to the buffer yard the plan also calls for a solid metal fence which will be between six and eight feet in height. The metal fence will wrap around a majority of the site with the exception the boundary which will be visible from I-65. The section visible from I-65 will be a solid concrete wall between the height of six and eight feet.

The plan does not provide any specific sign details other than noting that signage is proposed along the concrete wall along I-65 and on Lucas Lane. As proposed, signage (freestanding and building) will be consistent with sign requirements for IWD, per table 17.32.130 of the Metro Zoning Code.

#### Staff Analysis

The proposed SP district is *not* consistent with the current Neighborhood Urban land use policy; therefore, staff is recommending disapproval of this request. The applicant has requested that the land use policy be amended to District-Industrial which would support the proposed SP district. Staff is recommending disapproval of the requested policy amendment. The proposed SP district is consistent with the proposed District-Industrial land use policy. If the Commission approves the requested policy amendment then staff would recommend approval of the proposed SP district with conditions.

### STORMWATER RECOMMENDATION

Approve with conditions

- Add access note to plans.
- Current site conditions are not per approved construction plans. This site will need to be constructed per the approved plans or new plans should be submitted for the entire site (submitted during final approvals).

### PUBLIC WORKS RECOMMENDATION

- The developer's final construction drawings shall comply with the design regulations established by the Department of Public Works. Final design may vary based on field conditions.
- Indicate on plans a cul-de-sac at the terminus of Lucas Lane. Cul-de-sac to be 30 foot radius minimum.

Maximum Uses in Existing Zoning District: **IWD**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Warehousing (150)	31.96	0.8 F	1,113,742 SF	3918	311	279

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### Maximum Uses in Proposed Zoning District: **SP-IND**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Scrap/Salvage light Industrial (110)	31.96	-	Trips based on acreage	1613	240	232

### Traffic changes between maximum: **IWD** and proposed **SP-IND**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	-2305	-71	-47

### STAFF RECOMMENDATION

Staff recommends that the request be disapproved as it is not consistent with the site's Neighborhood Urban land use policy. If the Commission approves the associated policy amendment then staff recommends approval with conditions and *disapproval without all staff conditions*.

### CONDITIONS (if approved)

1. Uses permitted in this SP district shall be limited to scrap operation and all other uses permitted by the IWD zoning district.
2. Hours of operation shall be limited to Monday through Saturday between the hours of seven in the morning to seven in the evening. A note to this effect shall replace the current note (#6) which specifies hours of operation.
3. Prior to final site plan approval the applicant shall work with staff to develop sign standards that are sensitive to the area. Billboards shall not be permitted.
4. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission or Council approval, the property shall be subject to the standards, regulations and requirements of the IWD zoning district as of the date of the applicable request or application.
5. A corrected copy of the preliminary SP plan incorporating the conditions of approval by the Planning Commission and Council shall be provided to the Planning Department prior to the filing of any additional development applications for this property, and in any event no later than 120 days after the effective date of the enacting ordinance. The corrected copy provided to the Planning Department shall include printed copy of the preliminary SP plan and a single PDF that contains the plan and all related SP documents. If a corrected copy of the SP plan incorporating the conditions therein is not provided to the Planning Department within 120 days of the effective date of the enacting ordinance, then the corrected copy of the SP plan shall be presented to the Metro Council as an amendment to this SP ordinance prior to approval of any grading, clearing, grubbing, final site plan, or any other development application for the property.
6. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
7. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

Mr. Swaggart presented the staff recommendation of disapproval.

Bill Lockwood (representing applicant), 211 Commerce Street, spoke in support of the proposal and stated

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that this use will have less impact than what is currently permitted.

Bruce Barber with LKQ Corporation, 19231 Cave Branch Road, spoke in support of the proposal

Shawn Henry, 315 Deaderick Street, spoke in support of the proposal.

Councilmember Scott Davis spoke in support of the proposal and clarified to the citizens that this would not be a junk yard.

Mr. Ponder left at 5:31 p.m.

Mr. Lewis with Charles Hawkins Real Estate Company spoke in support of the proposal.

Veronica Stevenson spoke in support of the proposal and stated that it will benefit East Nashville.

Edwin Greenway, 1508 Dickerson Road, spoke against the proposal and stated that he would like the area to remain quiet.

Erica Garrison, 511 Union Street, spoke against the proposal.

Tony Clouse, 1511 Dickerson Road, spoke against the proposal.

Claudia Tamer, 1508 Dickerson Road, spoke against the proposal.

Shawn Henry, on rebuttal, asked the commission for approval of the proposal.

**Mr. Clifton moved and Mr. Gee seconded the motion to close the Public Hearing. (8-0)**

Mr. Dalton stated that he is still not sure what this is and what it's impact will be. If asked to vote at this time, he will vote for staff recommendation.

Mr. Haynes asked if applicant has pictures of existing facilities and the applicant provided the requested pictures.

Mr. Clifton stated that this is a clear cut decision in that there is a fairly recent Community Plan. He stated he will vote in support of staff recommendation.

Mr. Gee inquired if this area was deliberately discussed during the initial Community Plan process.

Ms. McCaig clarified that yes, this area was specifically addressed.

Dr. Cummings spoke in support of staff recommendation.

**Mr. Clifton moved and Dr. Cummings seconded the motion to approve staff recommendation of Item 5b. (8-0)**

### **Resolution No. RS2012-117**

**"BE IT RESOLVED by The Metropolitan Planning Commission that 2012SP-015-001 is DISAPPROVED. (8-0)"**

**The request is not consistent with the Neighborhood Urban (NU) land use policy.**